IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2348 OF 2004

Mackinnon Mackenzie & Co., Ltd....Petitioner

Versus

Vilas Trimbak Tipnis & Ors.....Respondent

Mr.J.P. Cama i/b. R.M.G. Law Associate for the Petitioner
Mr. Milind Vasudeo with Mr. M.G. Gawade, for the respondent Nos. 1to 4.

CORAM: F.I. REBELLO, J.
DATE : 10th September,2004

P.C.:

1. Rule. Heard forthwith. On behalf of the petitioner learned Counsel makes a statement that considering the delay they are not pressing the matter on merits. They, however, pray that they be granted six months time to pay the balance amount of arrears payable in terms of the order of the Authority under the Payment of Gratuity Act and further that until such payment and expiry of the period of six months the authorities should not proceed to attach and sell the properties of the petitioners herein.

2. Having heard learned Counsel the following order:-

(i) The petitioners are granted time of six months to pay the balance amount in terms of the orders passed by the Authorities under the Payment of Gratuity Act. The amount to be deposited with the Controlling Officer.

(ii) The Controlling Officer when the amount is deposited to pay to each of the respondents in terms of their entitlement.

(iii) Whatever amount has already been deposited with the Controlling Officer the same to be paid to the respondents in terms of their entitlement.

(iv) The respondent NO.8 not to proceed to attach the properties of the petitioner and their sister concern. At the same time the petitioner and the sister concerns are directed not to dispose of or alienate assets sought to be attached.

(v) On instructions from the petitioners learned Counsel for the petitioners undertakes to deposit the amount with the Controlling Authority within six months from today. Undertaking accepted.

(vi) Rule made absolute in terms aforesaid. There shall be no order as to costs. Authenticated copy be supplied to the parties.

(F.I.REBELLO, J.)